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VERBATIM RECORD OF THE SIXTEEN HUNDRED AND EIGHTY-SIXTH MEETING

Held at Headquarters, New York,
on Wednesday, 8 May 1991, at 10.30 a.m.

President: Mr. RICHARDSON (United Kingdom)

- Dissemination of information on the United Nations and the international trusteeship system in Trust Territories: report of the Secretary-General (continued)

- Offers by member States of study and training facilities for inhabitants of Trust Territories: report of the Secretary-General (continued)

- Cooperation with the Committee on the Elimination of Racial Discrimination

- Second Decade to Combat Racism and Racial Discrimination

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- Attainment of self-government or independence by the Trust Territories and the situation in Trust Territories with regard to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

- Cooperation with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

- Examination of petitions

- Examination of the annual report of the Administering Authority for the year ended 30 September 1990: Trust Territory of the Pacific Islands (continued)

- General debate

- Appointment of a drafting committee

- Organization of work

The meeting was called to order at 11.05 a.m.

DISSEMINATION OF INFORMATION ON THE UNITED NATIONS AND THE INTERNATIONAL TRUSTEESHIP SYSTEM IN TRUST TERRITORIES: REPORT OF THE SECRETARY-GENERAL (Trusteeship Council resolution 36 (III) and General Assembly resolution 754 (VIII) (T/1956) (continued)

The PRESIDENT: Before I begin I would like to express some concern about our late start. I hope very much that we can make an effort to begin on time, or reasonably on time, in future, and I shall threaten to take Draconian measures under rules of procedure that I have not yet invented.

The Council will now continue consideration of agenda item 7. In this connection I wish to welcome once again and thank Mr. Joe Sills, the representative of the Department of Public Information, for his participation.

The report of the Secretary-General on this item is contained in document T/1956. Does any member wish to put any further questions to the representative of the Department of Public Information on the report of the Secretary-General?

If not, I wish to take this opportunity to thank Mr. Sills once again for being with us and suggest that the Council take note of the report of the Secretary-General on dissemination of information on the United Nations and the International Trusteeship System, and that we conclude our consideration of this item.

It was so decided.

OFFERS BY MEMBER STATES OF STUDY AND TRAINING FACILITIES FOR INHABITANTS OF TRUST TERRITORIES: REPORT OF THE SECRETARY-GENERAL (General Assembly resolutions 557 (VI) and 753 (VIII) (T/1957) (continued)

The PRESIDENT: We shall now continue our consideration of agenda item 6. The report of the Secretary-General is contained in document T/1957. Does any member wish to comment on the report of the Secretary-General?

(The President)

As there are no speakers on this item, I propose that the Council decide to take note of the report of the Secretary-General (T/1957) and to conclude consideration of the item.

It was so decided.

COOPERATION WITH THE COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION (General Assembly resolutions 2106 B (XX) and 45/88)

SECOND DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION (General Assembly resolutions 3057 (XXVIII) and 45/105)

The PRESIDENT: As agreed at our last meeting, the Council will now take up agenda items 8 and 9. May I, in this connection, suggest that the Council examine the two items together, as it has done in previous years. If I hear no comments, it will be so decided.

It was so decided.

The PRESIDENT: In this regard I understand that the Secretariat has provided each delegation with the relevant documentation and, in particular, copies of General Assembly resolutions 45/88 and 45/105.

Are there any comments concerning agenda items 8 and 9, which the Council has just decided to consider together?

Mr. BEREZOVSKY (Union of Soviet Socialist Republics) (interpretation from Russian): These two items are normally discussed at every session of the Trusteeship Council. We are aware that there have been several past decisions advocating cooperation among United Nations bodies for the benefit of Trust and other dependent Territories. Item 8 refers to cooperation between the Trusteeship Council and a United Nations body concerned with human rights; item 9 too refers to human rights.

The Soviet delegation attaches great importance to the expansion and strengthening of broad cooperation in this sphere among all countries and United Nations bodies. It is unfortunate that we are obliged to note that for several years no cooperation has been established between the Trusteeship Council and United Nations bodies dealing with human rights. We consider that such cooperation should be arranged.

That would not be difficult: all that is required is good will and organizational measures of some kind.

The PRESIDENT: As there are no further comments, I suggest that the Council continue its consideration of these items at its next meeting.

It was so decided.

ATTAINMENT OF SELF-GOVERNMENT OR INDEPENDENCE BY THE TRUST TERRITORIES (Trusteeship Council resolution 1369 (XVII) and General Assembly resolution 1413 (XIV)) AND THE SITUATION IN TRUST TERRITORIES WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (General Assembly resolutions 1514 (XV) and 45/34)

COOPERATION WITH THE SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (General Assembly resolution 1654 (XVI))

The PRESIDENT: As agreed by members of the Council at the 1685th meeting, held on 6 May, the Council will take up agenda items 10 and 11. In this connection, may I suggest that, in keeping with past practice, the Council examine these two items together as it has in previous years.

It was so decided.

The PRESIDENT: In this connection the Secretariat has provided each delegation with a copy of General Assembly resolution 45/34 adopted in 1990 by the General Assembly at its forty-fifth session.

Are there any comments on agenda items 9 and 10?

Mr. BEREZOVSKY (Union of Soviet Socialist Republics) (interpretation from Russian): Our comments on agenda items 9 and 10 are similar in thrust to those we have just made on cooperation in the sphere of human rights. Again, these are standard items which the Council is obliged to discuss.

It has long been true that an improvement in the functioning of the Trusteeship Council could come about through greater use of the potential and expertise of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. Close, fruitful cooperation between the Council and the Special Committee on decolonization would only benefit the work of the Trusteeship Council. The decolonization Committee has great expertise of which the Trusteeship Council could take advantage in some aspects of its work.

The Special Committee on decolonization is prepared to cooperate with the Trusteeship Council, and I do not think there would be any special difficulty in having the Trusteeship Council invite the Chairman or another representative of the Special Committee to attend Council meetings; that representative could well make observations worthy of attention by the Trusteeship Council.

We believe that the Trusteeship Council and the Special Committee on decolonization could establish fruitful, businesslike cooperation that would certainly benefit colonial peoples.

The PRESIDENT: I might note in passing that the Trusteeship Council and the Special Committee now share the same secretariat, I believe for the first time. This is clearly something that will reinforce coordination in a de facto way.

As there are no further comments at this stage, I propose that, in accordance with its normal practice, the Council take a decision on these items following the adoption of its conclusions and recommendations.

It was so decided.

EXAMINATION OF PETITIONS (T/INF/39)

The PRESIDENT: The Council will now proceed to examine communications and petitions concerning the Trust Territory of the Pacific Islands.

Members of the Council will recall that, in 1988, the Council decided to request our Secretariat to publish a list of communications and petitions received, together with a summary of the contents. The list is contained in document T/INF/39. As agreed at our last meeting, we shall now begin consideration of these communications and petitions. In keeping with past practice, I would suggest that we consider these communications and petitions in groups.

I shall first address communications 1 to 5 contained in document T/INF/39. Does any member wish to comment on these communications?

Mr. BEREZOVSKY (Union of Soviet Socialist Republics) (interpretation from Russian): In connection with this group of written petitions, I should like to ask a question. I am not sure whether I should address it to you, Sir, or to the representative of the Administering Authority.

My question concerns how we are supposed to record our reactions to these petitions. Will there be some comments made by the representative of the Administering Authority - perhaps they were made immediately after the arrival of these petitions - or will they be commented upon by the representative of the Administering Authority during the current session? We would like to know, because if these petitions are being sent to the Trusteeship Council, the Council will have to react, and in the final analysis, respond in some way to the petitioners if the petitions require some response, or, in any case, show the petitioner that his or her petition has been received and considered, or that some other action has been taken concerning it by the Trusteeship

(Mr. Berezovsky, USSR)

Council. We come up against this almost every year, and every year we have to establish some sort of clear-cut procedure to make it possible to respond quickly.

The PRESIDENT: I believe that I can offer two comments at this stage.

The first is that, to my understanding, there is a distinction to be made between "communications", which we are now addressing, and "petitions". I am referring in this instance, of course, to written petitions, to which we shall come in a moment. The normal practice is that the Council draws the attention of petitioners to any observations that may be made by representatives in the Council or by the representative of the Administering Authority. Communications are essentially for our information.

My second observation, subject to correction, is that I understand that the representative of the United States as the Administering Authority does intend to comment on these petitions in the course of our deliberations today. But perhaps I will just seek confirmation of what I have said.

Mr. WILKINSON (United States of America): As has been our practice, which I believe has worked reasonably well in most recent years, my delegation as Administering Authority listened with attention and concern to the petitioners' statements that we heard in this Chamber the other day. We have examined those written petitions and have prepared a composite response, which I trust the members of the Council as well as the petitioners themselves will find responsive to their concerns. We are prepared to deliver it at an appropriate point in the proceedings.

The PRESIDENT: It seems to me most appropriate that we should hear any questions or observations by members of the Council on the petitions, so that if the representative of the Administering Authority so desires, he can

(The President)

take account of these in any remarks he will be making to us at a later stage in our proceedings.

If we may revert to communications 1 to 5, as I said it is my understanding that it is the customary practice in the Council that we do not ask questions on these communications. They are sent to us for our information and for our knowledge.

If that is acceptable, I will propose that the Council take note of communications 1 to 5, and proceed to communications 6 to 11. I propose that, subject to any observation by members of the Council, the Council likewise take note of communications 6 to 11 contained in document T/INF/39. May I take it that that is acceptable?

It was so decided.

The PRESIDENT: I suggest we now move on to petitions 1 to 10 contained on pages 4 and 5 of document T/INF 39. If there are no comments on these petitions, I propose that the Council decide to draw the attention of the petitioners to the observations to be made by the representatives of the Administering Authority and any other members at the current session, as appropriate.

It was so decided.

The PRESIDENT: I now turn to petitions 11 to 17 contained in document T/INF/39. If there are no comments, I propose that the Council decide to draw the attention of the petitioners to the observations to be made by the representatives of the Administering Authority and by other members of the current session, as appropriate.

It was so decided.

The PRESIDENT: As regards petitions 18 to 22, members will recall that their oral petitions were heard by the Council at its 1684th meeting, on 3 May. As regards petitions 23 and 24, it is my understanding that the petitioners concerned did not wish to speak but were ready to answer any questions put to them.

If no member of the Council wishes to intervene at this stage, I shall call on the representative of the United States, to hear the Administering Authority's observations on the written petitions before us.

Mr. WILKINSON (United States of America): The Administering Authority appreciates this opportunity to respond to the concerns raised by the petitioners.

I shall begin by reiterating that we regard the participation of the petitioners in the Council's sessions as integral to its success. Let me assure you, Mr. President, and the other members of the Council that we fully recognize the sincerity with which the petitioners have presented their views, and we will endeavour to take them into account in continuing to fulfil our responsibilities under the Charter of the United Nations and the Trusteeship Agreement.

Several of the petitioners who addressed the Council last week raised concerns about Secretary's Order No. 3142 - an Order by the Secretary of the Interior. This theme is also addressed in several of the written petitions. Some petitioners felt, in particular, that the Order representsd a step in the wrong direction, a "taking back" of fiscal and administrative responsibility from the Government of Palau. Others stated that the Order was part of a plan to force the Government and the people of Palau to accept the Compact by making life under the trusteeship difficult or unpleasant.

(Mr. Wilkinson, United States)

These fears are unfounded. The United States issued Secretary's Order No. 3142 solely to address particular problems that had been recurring in Palau in recent years in financial and administrative areas. Our primary goal in issuing the Order - which we did only after several meetings with the Palauan leadership - was to help Palau restore its fiscal credibility and to enable the United States to carry out its trusteehsip responsibilities in a more effective manner. We believe that once this is accomplished Palau will be in a much better position to move ahead in the post-trusteeship period.

We do not at all view the Order as "taking back" responsibility from the Government of Palau in any significant way. The Order simply enhances the ability of the Department of the Interior to oversee the implementation of fiscal and administrative policy in Palau and places certain requirements on Palauan expenditures and acquisition of further debt. Other provisions of the Order generally reaffirm existing arrangements between the Administering Authority and the Government of Palau, including review of Palauan legislation and management of foreign relations.

On the issue of foreign relations, one petitioner expressed concern about the requirement that Palau obtain the consent of the United States before engaging in contact with foreign States or international organizations. As the Council is aware, Palau does not yet enjoy international personality. It cannot, therefore, engage in the conduct of foreign relations in its own name and right. Instead, under the Trusteeship Agreement, the United States remains responsibile to other members of the international community for Palau's foreign activities. The requirement for Palau to obtain United States consent for intenational contacts accordingly flows from the responsibilities entrusted to the United States under the Trusteeship Agreement.

(Mr. Wilkinson, United States)

As a practical matter, however, the United States has approved every request for internationsl contact by Palau - and we have every intention to continue to do so. We simply must exercise our responsibility to oversee Palau's foreign contacts until the trusteeship itself is terminated.

Finally, we did not issue the Order in an effort to force approval of the Compact. As we have said consistently, the future political status of Palau is for the Palauans themselves to decide.

Several petitioners addressed issues of economic development in the Trust Territory. I would like to touch briefly on a few of the items raised. First, we would like to inform the Council that a technical assistance grant of $58,750 was made available from the Department of the Interior to contract with the University of Hawaii Pacific Business Center to assist developing small businesses in Palau.

In addition, the Department of the Interior funded a conference held in January of this Year in Palau the purpose of which was to bring together experts, particularly in the field of tourism and foreign investment, to assist Palau in planning for its expanding tourism industry.

We also note that the Administering Authority is actively working on improving Palau's infrastructure, which in turn will support further economic development. In particular, in fiscal year 1991, we have made $2.5 million available for repair and upgrading of the Palau/Anguar water systems. We have over $500,000 dedicated to the improvement of the Koror waste-water system and over $1 million available for repairs to roads and bridges. Those are just a few examples of infrastructure improvement projects being undertaken through the Operations and Maintenance Improvement Program, which we described to the Council last year and which has now been implemented.

(Mr. Wilkinson, United States)

In order to establish a good data base for future planning, the United States Bureau of the Census provided a grant for the training of Palauans in conducting a population census. The results of this effort should be available in the near future.

A future visiting mission to Palau will find several important changes. Since January and February 1990 there have been some new hotels opened. Shopping centres have expanded, including one - the Western Carolines Trading Company - which now is reported to be grossing nearly $4 million of business annually. New shopping centres have opened. Air Micronesia flies in with Boeing 727s from both the north and the south, sometimes twice a day, seven days a week. Flights are frequently filled to capacity. Tourists can connect from Manila or from Guam with the rest of the world.

We have provided the Council with the latest fisheries export data from the commercial private fishing industry. One company in Palau - PITI - even has its own Boeing 707 to fly its fresh fish to Japan on a regular basis.

(Mr. Wilkinson, United States)

One intriguing new sign of the times is found in the statistical summary on page 128 of our annual report. Under the heading of communications, it notes that there are now 70 fax machines, 22 telex subscribers and over 1200 television receivers in service. These are excellent barometers by which to gauge the level of economic and social development of a community of about 15,000 inhabitants.

Several comments were also made by petitioners alleging that there is a so-called welfare state of government employment, allegedly fostered by the Administering Authority. While it is true that a significant percentage of Palauan workers are employed in the public sector, it is our policy, as the Administering Authority, to promote the growth of the private sector, the engine of true development. We have made progress in this regard: in our annual report, we note on page 128 that there are now nearly twice as many workers in the private sector as in the public sector. This is a continuation of the growth of the private sector that we have been noting and reporting on for several years now, and which we hope to see continued and further expanded.

In reference to the increase of alien workers, I would call the attention of the Council to the fact that there is no unemployment in Palau in the standard, Western statistical sense. Mr. Uherbelau and I elaborated on that situation here on Monday. The net result is that if there is to be further development - and we project a continuation of the present, very hopeful upward curve - beyond what already exists, there will be a labour shortage that will have to be filled by outside recruits in order to get the job done.

It is our belief that our joint work with the Government of Palau in developing a master plan will help the responsible officials and agencies to

(Mr. Wilkinson, United States)

maximize the benefits to the people of Palau. The master plan will also provide a framework within which Palau can utilize alien labour to the best effect.

In spite of these advances, however, I believe it is important to point out once again that there is no accepted or mandatory objective standard of economic development that must be achieved before the trusteeship can be terminated. In fact, as far back as May of 1986, this Council adopted resolution 2183 (LIII) declaring that Palau, as well as the other parts of the then Trust Territory, was ready to assume the mantle of self-government. We believed they were ready then and we believe it even more now. For as long as the Trust Territory exists under that rubric, however, I can assure you that we will continue to carry out our responsibilities under the Trusteeship Agreement.

Another thought which surfaced in the statements by petitioners, and which has appeared in other contexts as well, is the suggestion that the United States has the intention of establishing a large military presence in Palau, or that the United States considers Palau as a viable alternative to United States military bases in the Asian area, should those we now have no longer be available.

I wish to restate as firmly and unequivocally as I can what I said in my opening statement, namely, that the United States has no bases at the present time in Palau and has no intention - no intention, Sir - of establishing any in the foreseeable future.

For a number of years we have maintained in Palau a team of 13 Navy personnel, who are engaged in the construction of small civil works projects, including schools, athletic facilities and similar activities as selected by a

(Mr. Wilkinson, United States)

local coordinating committee. The civic action team, which is unarmed, is in Palau at the invitation of the Government of Palau. Its equipment consists of bulldozers and other machinery needed for construction. This is, and will continue to be, the extent of the United States military presence in Palau.

It is true that under the Trusteeship Agreement we have the unrestricted right to establish military facilities, but we have never exercised that right and do not intend to do so in the future. The Compact of Free Association also would permit the United States to establish military facilities in connection with our responsibility for Palau's security and defence, but again, in the present situation, we do not intend to exercise that right even if the Compact should come into effect.

The PRESIDENT: I thank the representative of the Administering Authority for that very full statement.

I now propose to conclude our examination of the petitions under agenda item 5, on the understanding, naturally, that agenda item 4 remains open: that concerns both the questioning of the Administering Authority, which we began yesterday, and also the concluding statements, still under item 4, by the Administering Authority and by any other member of the Council wishing to intervene.

There will also, of course, be a further opportunity to discuss the underlying issues of these petitions when we commence our general debate. On that understanding, I therefore propose to conclude our consideration of agenda item 5 now.

It was so decided.

ITEM 4 (continued)

EXAMINATION OF THE ANNUAL REPORT OF THE ADMINISTERING AUTHORITY FOR THE YEAR ENDED 30 SEPTEMBER 1990: TRUST TERRITORY OF THE PACIFIC ISLANDS (continued)

The PRESIDENT: The Council will now resume its consideration of agenda item 4, and continue the examination of conditions in the Trust Territory of the Pacific Islands. This falls into two parts: first, the question of oral petitioners. I have been given to understand that none of the petitioners who addressed us on Friday are present in the Chamber, and I therefore propose to proceed to the second part of our consideration of this agenda item, namely, questioning of the representatives of the Administering Authority.

We had what I thought was a very full and useful exchange of questions and answers at our meeting yesterday, but I now throw the floor open in case any members of the Council wish to put further questions to the representatives of the Administering Authority.

I call on the representative of the United States.

Mr. WILKINSON (United States of America): Of course, I do not have any further questions that have been put to the Administering Authority, but with your permission I would ask you to call on Assistant Secretary Guerra to respond to a question put to us by the representative of the Soviet Union concerning Micronesian war claims, which we were unable to respond to immediately; we have now prepared a response, and with your permission, Assistant Secretary Guerra will deliver it.

The PRESIDENT: I call on Assistant Secretary Guerra.

Mrs. GUERRA (Special Adviser): I would like to provide further information in response to a question asked by the representative of the Soviet Union, concerning Micronesian war claims.

The Administering Authority has continued with an aggessive programme to complete payments under Title I of the Micronesian War Claims Act. To date, 91 per cent of the outstanding payments for Palau have been made; outstanding settlements, in cases where original beneficiaries are deceased or where other problems exist, are being processed with the cooperation of local government authorities.

Of the total award of $5,777,294 issued by the Micronesian Claims Commission to recipients in Palau, $5,245,882 have been paid to date. The Department of Interior, through its Trust Territory of the Pacific Islands office in Palau, will coordinate with local authorities processing the remainder of payments in a timely manner.

We hope that the representative of the Soviet Union will find this information of use.

The PRESIDENT: Thank you very much for this clarification.

I now invite any other member of the Council who wishes to put further questions to the Administering Authority to do so.

Mr. BEREZOVSKY (Union of Soviet Socialist Republics) (interpretation from Russian): First, I would like to thank the representative of the Administering Authority for the exhaustive answer to the question raised by the Soviet delegation at the last meeting. With your permission, Mr. President, there are a few more questions that I should like to put to the representative of the Administrative Authority in connection with the report on the situation in the Trust Territory.

In particular, on page 44 of part VII of the report, which deals with social advancement, it says that "Trust Territory inhabitants are guaranteed basic human rights". I must emphasize the words "basic human rights" that are used in the report. A question arises in that regard. Why, in this case, are only basic rights referred to? How do things then stand with other human rights and freedoms, which would seem not to be basic, for example, human rights which have been set forth in the Universal Declaration of Human Rights? Article 1, paragraph 3, of the Charter of the United Nations refers to human rights as a whole, without breaking them down into basic and subsidiary ones. By the way, the list of rights which is set forth in the report is significantly shorter than the list set forth in the Universal Declaration of Human Rights.

Generally speaking, the Trusteeship Council should probably have the text of the instruments governing human rights in the Trust Territory. I should like to know what machinery exists to protect human rights, and how it functions in the Trust Territory because, in general, the report does not go into that matter.

The PRESIDENT: I am given to understand by our secretariat that such basic information does indeed exist, although I am also told that it is somewhat bulky. Perhaps I could invite the representative of the United States to reflect on whether it would be possible in future annual reports to incorportate some of this information though, clearly, if it is going to be hundreds of pages long, I do not want to impose an unnecessary burden upon the Administering Authority.

Mr. WILKINSON (United States of America): Certainly, the information in terms of laws and existing machinery is readily available. We could respond to requests, and we will consider ways of improving our presentation in the next year. But at the moment, I appreciate the work that the secretariat does in maintaining, as it were, a reference library, which is readily available.

I would like to ask you, Mr. President, to recognize the legal adviser to the United States delegation, Mr. Balton, to comment on the somewhat technical question raised about the use of the word "basic" and the extent of the guarantees for the inhabitants of Palau.

Mr. BALTON (Adviser): It is my pleasure to attempt to address some of the questions that were raised by the representative of the Soviet Union concerning the guarantees of human rights to people in Palau. It is my recollection that a similar question came up last year. I hope that we can set this matter to rest.

Suffice it to say that the use of the word "basic" in describing the human rights and fundamental freedoms that are guaranteed to Palauans is not intended to be limiting in any way. It is, rather, a description of a general class of human rights that could be considered to be internationally

(Mr. Balton, Adviser)

recognized. As members of the Council are aware, I am sure, there is a great deal of philosophical debate over what constitutes human rights. There are certain human rights that are advocated as essential by some that are not accepted by others. There is no one commonly accepted class of human rights that everyone in the world agrees is essential. Nevertheless, the human rights that have been recognized by the United Nations in its documents pertaining to human rights are, in fact, guaranteed through the Palauan Constitution and the laws of the Palauan federal and state governments, as well as the Trust Territory Code, which still applies in some senses.

Similarly, I would like to say that the list of human rights that is set forth on page 44 of the United States report is not intended to be exhaustive, but merely illustrative. Perhaps it reflects a somewhat subjective view of which of the human rights might be considered the most important to warrant presentation here. But, as I have said, this is not an exhaustive list of all the rights that are guaranteed to Palauans.

The representative of the Soviet Union also asked what machinery exists in Palau for the enforcement of such rights. The answer is: very much the same sort of machinery that exists in most societies. The Palauan legislature and judiciary stand ready to take such measures as may be necessary to enforce the human rights to which the Palauans are entitled.

(Mr. Balton, Adviser)

I can say without any fear of contradiction that in particular the Palauan judiciary handles its share of human rights cases.

Finally, I can also say with assurance that United Nations documents pertaining to human rights are readily available in Palau, a fact to which I believe the Council's secretariat can attest. Perhaps more documents could be made available, but I understand that everyone in Palau has access to this information in one form or another.

I hope that this information is of use to the representative of the Soviet Union.

Mr. BEREZOVSKY (Union of Soviet Socialist Republics) (interpretation from Russian): I am grateful for the information we have been given in answer to our questions.

I now return to some comments made by others, including you, Sir. I wish to stress that the Soviet delegation is not trying to obtain a report three or four times longer than the report we have now. But the report should include some basic matters on such important issues as the population of the Trust Territory and how its human rights are guaranteed and observed.

Next I wish to refer to page 48 of the report, where there is a reference to a Memorandum of Understanding on preserving Micronesia's heritage in Palau. May we have further information on the Memorandum? What is its thrust, its essence?

The PRESIDENT: I understand that I inadvertently failed to recognize the representative of the United States on an earlier occasion, so if he wishes he may make two bites at this cherry.

Mr. WILKINSON (United States of America): Thank you, Mr. President. It was entirely my fault for not waving vigorously enough.

(Mr. Wilkinson, United States)

However, Sir, I would ask you to recognize Mr. Uherbelau of Palau so that he may take both bites, in one of which he may have a further comment on the preceding question about the human rights situation in Palau. I would also ask him to respond directly to the question that has just been put.

The PRESIDENT: I call on Mr. Uherbelau.

Mr. UHERBELAU (Special Adviser): I should like to wait for the Administering Authority to respond to the second question first, as I am not yet ready to address it.

I wish to say, by way of amplification with regard to the question put by the representative of the Soviet Union on basic human rights, that, as has already been said, the list is by no means exhaustive. It includes the following freedoms and basic human rights that are enjoyed in the Republic: freedom for private individuals to file a lawsuit against the Government or against the policies of the Administration; universal suffrage, which is enjoyed by all those 18 years and over; and compulsory education, guaranteeing education for all children up to the eighth grade. We also have subsidized medical and health care for our people, and we are, fortunately, free from apartheid or racial discrimination.

Mr. WILKINSON (United States of America): I am sorry that there has been a little confusion. When I spoke a minute ago I did not focus on the direct interest of the representative of the Soviet Union, the Memorandum of Understanding referred to on page 48, to which he drew our attention and which is now in final review. That is a very positive and good programme. I should like to ask you, Sir, to recognize Assistant Secretary Guerra to tell the Council of its thrust.

The PRESIDENT: I call on Mrs. Guerra.

Mrs. GUERRA (Special Adviser): The Department of the Interior's National Park Service is working with Palau through a technical assistance grant to identify those cultural areas that Palau would want to preserve and protect. The review is now taking place, and the programme, which is more of a long-term matter, will start to be implemented in Palau some time later this year.

Mr. BEREZOVSKY (Union of Soviet Socialist Republics) (interpretation from Russian): I thank the representatives of the Administering Authority for the information they have given us on the Memorandum of Understanding.

I have another question with regard to part VII. On page 62 we read that patients must pay 50 per cent of the cost of medical referrals. We are also told that no one is refused medical attention because he or she finds it impossible to pay for it. How is the matter dealt with? Is it possible for a disadvantaged person to receive medical assistance?

The PRESIDENT: I call on Mr. Uherbelau.

Mr. UHERBELAU (Special Adviser): I shall attempt to answer the question put by the representative of the Soviet Union. At the moment, Palau does not have any medical insurance system to cover all the people. Those who are insured are insured by public-insurance policies. Overall, as I said earlier, medical care is subsidized, so that patients have to bear only a very minimal cost for services.

For serious cases that cannot be treated in Palau hospital, we have had over the years - with the assistance of the Administering Authority - medical referral programmes for sending patients suffering from serious illnesses that cannot be treated locally to hospitals in Hawaii. Three or four years ago we instituted the same arrangement with Makati and St. Luke's hospitals in Manila, as the report indicates. Cases referred to those hospitals have to pledge that they will contribute 50 per cent of the cost of the medical care they will incur in hospitals in Hawaii or the Philippines.

As Ambassador Wilkinson mentioned the other day, we have an extended, family-type arrangement and we see to it that our relatives do not go hungry and that they are not left without a roof over their heads. We even help each other to buy houses. We also help each other pay off the medical bills of relatives who are sent abroad for care.

Mr. BEREZOVSKY (Union of Soviet Socialist Republics)(interpretation from Russian): Perhaps I did not listen carefully enough to the answer, but I am still not clear with regard to the situation. Am I correct in understanding that, in a case where the patient is unable to pay 50 per cent of the cost of his medical care, that patient is subsidized by the local authorities?

(Mr. Berezovsky, USSR)

I do understand that if an inhabitant of the Territory cannot pay his medical bills himself he can appeal to his relatives. That goes without saying and it happens everywhere. However, in my question I was referring to a more official approach to the situation, namely, in cases in which a person must be sent to a hospital in Hawaii or the Philippines and neither that person nor his family has the resources to pay for the treatment, does that person receive any sort of assistance in paying for his medical costs?

The PRESIDENT: I call on Mr. Uherbelau.

Mr. UHERBELAU (Special Adviser): I am sorry that my response to the question posed was insufficient. What I was attempting to get across was the fact that no one is refused any medical treatment, no matter how serious. If a person comes to the hospital, it is not a condition precedent to treatment that he pay whatever costs will be required for such treatment. Similarly, even though the patient referred for treatment overseas has to come up with 50 per cent of the cost, the treatment is rendered before he has to pay it, so that when a patient returns and has to pay 50 per cent of the treatment it may take 5 or 10 years for him to pay back to the Government his share of the cost. However, no one is denied any medical treatment or attention because of inability to pay the cost.

Mr. BEREZOVSKY (Union of Soviet Socialist Republics)(interpretation from Russian): We are now completely clear on this, and, indeed, there is a problem here that must be dealt with seriously, either by the local authorities or by the Administering Authority. They should consider how they might ensure medical care for the population in such a way that an individual whose life has been saved or prolonged on an emergency basis might be spared the eventuality of having to repay the cost for such care over the next 5 to 10 years.

(Mr. Berezovsky, USSR)

The Soviet delegation has no further questions to put to the Administering Authority for the time being.

The PRESIDENT: If no other member of the Council has any further questions, I suggest we continue consideration of this agenda item at our next meeting.

It was so decided.

GENERAL DEBATE

Mr. HARKIN (United Kingdom): The British Government has consistently supported the efforts of the people of the Trust Territory of the Pacific Islands to achieve whatever form of self-government meets their wishes and their particular circumstances. My delegation supported the adoption of Trusteeship Council resolution 2183 (LIII) in 1986, by which the Council recognized that the peoples of Micronesia had freely exercised their right to self-determination and had chosen either free association with the United States or Commonwealth status. We likewise voted in favour of Security Council resolution 683 (1990), which partially terminated the Trusteeship Agreement with respect to the Northern Mariana Islands, the Marshall Islands and the Federated States of Micronesia. We congratulate the peoples of those three States and promise them our full support.

The only subject of our discussions this year is, of course, the Republic of Palau. We have listened with interest to the statements of the representatives of the Administering Authority and of the Republic of Palau, particularly that of His Excellency the President of Palau. All in all we have been provided with a great deal of useful information on the Territory. We have studied carefully the latest comprehensive report of the Administering Authority. We have also been grateful to the petitioners for their additional contributions.

The overall picture is an encouraging one. The major question, that of Palau's future political status, remains unresolved. Whatever their views on the precise terms of the Compact of Free Association and its subsidiary agreements, in the 1990 plebiscite the majority of Palauans clearly favoured the continuation of a close relationship, such as free association, with the United States, the nation which as their Administering Authority has given

(Mr. Harkin, United Kingdom)

them generous assistance and guidance for over 40 years. But in general terms we are satisfied to note that the people of Palau continue effectively to govern themselves in accordance with their Constitution and have continued their advancement in the economic, social and educational fields.

We believe that the introduction of Secretarial Order 3142 was necessary in order for the Administering Authority to fulfil its obligations to the Trust Territory. Financial responsibility is crucial for any emerging economy, and it is prudent for the Administering Authority to take all necessary measures to ensure that it meets its responsibilities. My delegation hopes that the financial master development plan will bear fruit for the people of Palau.

We are encouraged by the continuing increase of tourism in Palau. Palau is a beautiful country above and below the water. There is much in Palau which continues to attract an increasing number of visitors and which, if developed wisely, will provide Palau with a lasting source of income. We are glad to see that tourism is already helping to boost the private sector of the economy and to decrease the worrying dependency of Palauans on government employment. We note in that respect that the number of people in government employment has fallen by 4 per cent. We hope that as it encourages the growth of the important tourism industry the Government of Palau will take steps to ensure that Palau's natural beauty, the very thing tourists come to discover, will not suffer as a consequence.

We are also encouraged by the progress reported in the field of fisheries. We know from the experience of British dependent Territories that revenue from licensing arrangements and the establishment of appropriate fishery-related enterprises can provide valuable income and employment. We

(Mr. Harkin, United Kingdom)

welcome the training and assistance being provided to Palau by the Administering Authority in the field of fisheries enforcement.

The representatives of Palau have spoken about their desire for economic self-reliance. There is a difficult balance to be struck here. It is certainly the case that the economy of Palau remains excessively dependent on annual infusions of funds from the Administering Authority. Much of the money goes towards vital improvements in the Territory's infrastructure. But capital projects are not cost-free. The running costs and maintenance of new roads or hospitals can be heavy, and Palau's own tax base is inadequate to finance these continuing costs, although we welcome the improvement in tax collections reported this year. It is particularly disturbing that imports have risen over the past year from $5 million to over $24 million without a commensurate increase in exports. If a self-sustaining economy - and therefore, I might add, a self-sustaining political system - is to be achieved, two approaches will be necessary: a hard look at new spending projects to ensure that they can be serviced after completion; and a growth in the local economy and therefore its tax base. In that connection, therefore, the development of activities such as tourism and fishing assume additional significance, as does an expansion of the private sector's share of the economy more generally.

We are encouraged also by developments in the social field. The campaign mounted by the Administering Authority in cooperation with the Government of Palau against a number of those involved in drugs trafficking has been a notable success. We are glad to note the continuation of other federal programmes, for example in the areas of health and education, which are helping to improve standards of living throughout Palau.

(Mr. Harkin, United Kingdom)

We hope that the current difficulties over Palau's future political status will soon be resolved. Palau is ready for self-government, as the Palauans themselves have amply demonstrated. The Trusteeship Agreement was never designed to last for ever, and it is certainly not in the best interests of the people of the Trust Territory that it should. We note that the Palauan leadership and people are now reviewing their options. We wish them all success and promise them our support in their efforts to determine at the earliest possible date a future poltical status that accords with their wishes. It is an anomaly that Palau should be under trusteeship, and that anomaly should be resolved.

Finally, my delegation would like to pay a tribute to those Palauans who loyally and courageously served with the United States forces which formed part of the coalition forces in the Persian Gulf.

The PRESIDENT: It is my understanding that other members of the Trusteeship Council wish to speak in the general debate at our next meeting; I encourage all other members to do so, so that the drafting committee can take full account of their views.

APPOINTMENT OF A DRAFTING COMMITTEE

The PRESIDENT: I have consulted informally with all members of the Council, and I should like to propose that the Council appoint a drafting committee whose terms of reference, as in the past, will be to prepare draft recommendations to be included in the forthcoming report of the Trusteeship Council to the Security Council. In the light of my consultations I should like to propose that the drafting committee be composed of the representatives of France and the United Kingdom. There appears to be no objection to that proposal.

It was so decided.

ORGANIZATION OF WORK

The PRESIDENT: I propose that the Council next meet tomorrow afternoon at 3.30 sharp; I encourage all members of the Council to be present at that time, because I think we shall have quite a full agenda.

At that meeting the Council will continue its consideration of agenda items 4, 6 and 8 to 11. It will then conclude the general debate, with statements from those members of the Council who have not yet spoken. We shall then hear the closing statement from the representative of the Administering Authority and any closing statements that other delegations may wish to make.

I take this opportunity to remind those members of the Council whose credentials have not yet been submitted that these should be submitted in due form as early as possible.

The meeting rose at 12.30 p.m.

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Fifty-eighth session

VERBATIM RECORD OF THE SIXTEEN HUNDRED AND EIGHTY-SEVENTH MEETING

Held at Headquarters, New York,
on Wednesday, 9 May 1991, at 3.30 p.m.

President: Mr. RICHARDSON (United Kingdom)

- Statement by the President
- Cooperation with the Committee on the Elimination of Racial Discrimination (continued)
- Second Decade to Combat Racism and Racial Discrimination (continued)
- Attainment of self-government or independence by the Trust Territories and the situation in Trust Territories with regard to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (continued)

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- Cooperation with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (continued)

- Examination of the annual report of the Administering Authority for the year ended 30 September 1990: Trust Territory of the Pacific Islands

- Organization of work

The meeting was called to order at 3.55 p.m.

STATEMENT BY THE PRESIDENT

The PRESIDENT: I should like to commend the Soviet delegation for arriving on time. I consign other delegations to eternal hell-fire.

COOPERATION WITH THE COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION (General Assembly resolutions 2106 B (XX) and 45 (88) (continued)

SECOND DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION (General Assembly resolutions 3057 (XXVIII) and 45 (105) (continued)

The PRESIDENT: Are there any comments concerning agenda items 8 and 9? If there are none, and if there is no objection, I suggest that the Council decide to take note of the statements made on these items and to conclude consideration of them.

It was so decided.

ATTAINMENT OF SELF-GOVERNMENT OR INDEPENDENCE BY THE TRUST TERRITORIES (Trusteeship Council resolution 1369 (XVII) and General Assembly resolution 1413 (XIV)) AND THE SITUATION IN TRUST TERRITORIES WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (General Assembly resolutions 1514 (XV) and 45/34)) (continued)

COOPERATION WITH THE SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (General Assembly resolution 1654 (XVI)) (continued)

The PRESIDENT: Are there any comments on agenda items 10 and 11?

If there are none, and as decided at our last meeting, the Council will take a decision on these items following the adoption of its conclusions and recommendations. I therefore suggest that the Council continue its consideration of agenda items 10 and 11 at its next meeting.

It was so decided.

EXAMINATION OF THE ANNUAL REPORT OF THE ADMINISTERING AUTHORITY FOR THE YEAR ENDED 30 SEPTEMBER 1990: TRUST TERRITORY OF THE PACIFIC ISLANDS (T/1954)

The PRESIDENT: As there are no further questions at this time for the representatives of the Administering Authority, the Council will continue with the general debate.

Mrs. LIU Jinfeng (China) (interpretation from Chinese): I am very glad to be speaking in the general debate at the fifty-eighth session of the Trusteeship Council.

The Chinese delegation, wishing to contribute to the work of the United Nations Trusteeship System and to promote the advancement of Trust Territories, will continue to participate actively in the Council's deliberations at its current session, during which we look forward to close cooperation with the other member States.

Over the past year the international situation has seen enormous changes. At present the old world structure has disintegrated while a new one has yet to take shape. The world has entered a period of transition from the old structure to a new one. We are glad to note that Security Council resolution 683 (1990), unanimously adopted at a Security Council meeting held on 22 December 1990, has finally led to the partial termination of the Trusteeship Agreement for the Trust Territory of the Pacific Islands, with respect to the Federated States of Micronesia, the Marshall Islands and the Northern Mariana Islands. China respects the aspirations of the peoples of those three entities, and supported the termination of their status as Trust Territories. Following the termination of the trusteeship, we hope that the political and economic development in those three entities will enter into a new stage.

(Mrs. Liu Jinfeng, China)

In the past few days the Council has considered the annual report submitted by the Administering Authority on the Trust Territory of the Pacific Islands and has heard statements by Council members, the Administering Authority and representatives of Palau, as well as by petitioners. We believe that all this has not only helped the Council to gain a deeper understanding of the current conditions and existing problems in the Trust Territory, but has also contributed to a correct and comprehensive implementation of the provisions of the United Nations Charter and the Trusteeship Agreement.

The principal task of the international Trusteeship System is to further international peace and security and promote the political, economic, social and educational advancement of the inhabitants of the Trust Territories, and their progressive development towards self-government or independence. We are very pleased to see that over the years the people in the Trust Territory of the Pacific Islands have made some progress in the political, economic and social fields. That is a result not only of efforts made by the people in the Trust Territory but also of the great deal of work done by the international community, including the United Nations. On the other hand, one can also see from the verbal and written statements submitted by the petitioners at this session that there are still some problems and inadequacies.

At present, Palau is the only entity of the Trust Territory of the Pacific Islands that remains under the United Nations Trusteeship System. The Chinese Government always supports the principal of national self-determination, and it respects the choice made by the people of Palau, of their own free will, concerning their future political status. The Chinese delegation holds that in order to create the necessary conditions for the realization of self-determination and independent development in Palau the

(Mrs. Liu Jinfeng, China)

Administering Authority should, before the termination of trusteeship there, fulfil to the letter its obligations towards the Trust Territory and meet the just demands of the people in the Trust Territory, so as to enable the people in Palau to achieve self-determination at an early date.

Mr. FELIX-PAGANON (France) (interpretation from French): At the fifty-seventh session of the Trusteeship Council last year, the French delegation, as in previous years, expressed the wish that the peoples of the Trust Territory of the Pacific Islands would accede as soon as possible to the status of their choice. We are pleased that this has been accomplished for three of the four entities that then composed the Territory at that time: the Marshall Islands, the Northern Mariana Islands and the Federated States of Micronesia.

On the unanimous recommendation of the Trusteeship Council, the Security Council on 22 December 1990 adopted its resolution 683 (1990), by which it terminated the Trusteeship Agreement as it applied to those three entities. That opened the way to full implementation of the decisions resulting from the free exercise by those peoples of their right of self-determination. France was honoured to be serving as President of the Trusteeship Council at that vital time for the inhabitants of those Territories. My delegation wishes the inhabitants all success in the new stage they are now entering.

With respect to Palau, the sole remaining Territory under our Council's jurisdiction, we hope that appropriate solutions will be formulated as quickly as possible with a view to bringing about a new status in keeping with the desires of the people.

Pending the achievement of that goal, and so long as the Trusteeship Agreement remains in force, it is, of course, important that the Administering

(Mr. Félix-Paganon, France)

Authority continue to carry out its obligations. In that connection, my delegation notes with satisfaction again this year the assurances the United States delegation has given on this point.

We also welcome the progress made over the past year in the Trust Territory in the political, economic and social fields. My delegation noted with interest the information on that progress set out in the most recent annual report of the Administering Authority, as well as the information supplied by members of the United States delegation. My delegation welcomes the efforts being made in conformity with the Council's recommendations in the area of public works, fisheries, health and the fight against drug trafficking. We listened most carefully to information concerning the draft master plan for Palau.

To be sure, there are difficulties with respect both to the economic and social situation in the Territory and to the prospects for political development. Those difficulties were mentioned, inter alia, by petitioners who addressed the Council. Even if some of their statements seemed to us excessively pessimistic, it is true that the great progress made in the archipelago - including the progress with respect to the democratic nature of institutions and the standard of living of the population - has not yet eliminated certain deficiencies that are a source of legitimate concern to the citizens of Palau.

(Mr. Felix-Paganon, France)

My delegation hopes that these difficulties will continue to be the subject of an ongoing dialogue within the context of the existing cooperation between the authorities of the Territory and the Administering Authority. In that respect, my delegation took note with interest of elements communicated to us regarding measures adopted during the past year with a view to redefining the respective responsibilities of the Administering Authority and the Palauan authorities. We hope that the efforts undertaken thus far to promote the economic and social development of Palau will be continued in the new conditions thus established.

My delegation also hopes that the population of the Territory will be able in the very near future to exercise its right to self-determination and attain the status it will have freely chosen. We take note of the fact that the Administering Authority is willing to lend its assistance to the Palauan authorities, if they should so request, in seeking appropriate solutions relating to the future status of the archipelago.

Before concluding my statement, I should like to pay tribute on behalf of my delegation to the citizens of Palau who, as part of the coalition forces, made a courageous contribution to the success of the operation that led to the liberation of Kuwait.

Lastly, I take this opportunity to hail the representatives of Palau who are participating in the work of our Council's current session, and in particular Mr. Etpison, the President of Palau, who was kind enough to participate personally in our work. I should also like to extend my thanks to the representatives of the Secretariat for the efficiency, competence and commitment with which they have contributed to the smooth functioning of the Council's work.

Mr. BYKOV (Union of Soviet Socialist Republics) (interpretation from Russian): During the course of the present session, members of the Trusteeship Council have been able to examine thoroughly the report of the Administering Authority - the United States of America - concerning the situation in the Trust Territory of the Pacific Islands during the reporting period from 1 October 1989 to 30 September 1990, as well as the working paper prepared by the United Nations Secretariat on that question, contained in document T/L.1277. I take this opportunity to express thanks for the timely submission of those materials. We have also listened carefully to the statements of the representatives of the United States and the statements of the petitioners. At the meetings, members asked substantive questions, stemming from a concern for obtaining the fullest and most material information possible from the representatives of the Administering Authority. These were followed by additional information and explanations. All of this, in our view, facilitated the development of a dialogue and of objective and businesslike consideration at the session of questions relating to the political, economic and social situation in the Trust Territory, as well as measures undertaken with regard to it by the Administering Authority, and on the whole helps to produce a definite, though perhaps not exhaustive, picture of the current situation in the Territory.

The materials considered and the discussion that has taken place show, as we have already mentioned, definite achievements in a number of fields of development of the Trust Territory during the period under review, as well as the assistance rendered to that process by the Administering Authority. Having noted that, however, it would obviously be proper to focus attention as well on the remaining problems and unresolved tasks, on what still must

(Mr. Bykov, USSR)

be done. Some of these were also the subject of a lively exchange of views at the current session of the Trusteeship Council.

As for the fundamental objectives now facing the trusteeship system and the relevant duties of the Administering Authority, everyone is well aware that these are spelled out in the Trusteeship Agreement, the Charter of the United Nations and other pertinent documents of the Organization. They have been referred to here on numerous occasions, and there does not seem to be any need to list them.

Among unresolved problems, note was taken at this session of the continuing financial dependence of the Trust Territory on the Administering Authority, due first and foremost to the failure to achieve an extremely important objective - the self-sufficiency of the Territory's economy, with due regard to local conditions and traditions. This situation makes the Territory's economy, institutions and structures vulnerable. A great deal must still be done to establish the necessary infrastructure, to develop agriculture and local fishing, to provide for the population's employment and vocational training, to establish a system of social security and to maintain the distinctive nature of the local culture.

We need hardly dwell now on the details of these problems, since they have already been raised in the course of previous meetings. There is clearly a need to find effective ways to resolve them. The representatives of the Administering Authority have informed the Council that negotiations with representatives of Palau have been initiated. It is important that such negotiations should be conducted on a mutually acceptable basis, be consonant with the interests of the people of the Territory and promote the achievement of the objectives of the international trusteeship system.

(Mr. Bykov, USSR)

As is well known, the Soviet Union has consistently supported the inalienable right of the Micronesian people to self-determination, self-government or independence and freedom of choice in accordance with the Charter of the United Nations, the Trusteeship Agreement and the Declaration on Decolonization. We believe that the Administering Authority must create all necessary conditions to enable the people of Palau to implement fully, at the proper time, the principle of the free expression of its will concerning the future status of the Territory. The obligations of the Administering Authority under the Trusteeship Agreement and the Charter of the United Nations remain in force until such time as the Security Council, which continues to bear responsibility for Palau, makes the appropriate decision. In that connection, assurances given by the representatives of the United States at this session regarding the intention of the United States to continue to implement fully its commitments under the Trusteeship Agreement concerning the Territory are to be commended.

Also of great importance are the assurances of the representative of the United States that his country has no plans to establish military bases in Palau. These assurances of the United States, together with its position, stated last December to the members of the Security Council, concerning Micronesia as a whole, are in keeping with the developing trend towards the reduction of foreign military presence and the development of comprehensive cooperation in that region.

We express the hope that the present session of the Council will truly serve to benefit progress in the development of Palau and that before the end of next year the Council will see positive results in that regard.

The PRESIDENT: The Council has thus concluded the general debate.

As agreed at our last meeting, I shall call on the representatives of the Administering Authority to make their closing statements. I have been given to understand that Mr. Uherbelau would like to speak first, and I call on him to do so now.

Mr. UHERBELAU (Special Adviser): With your permission, Sir, I wish the Council to note the presence in this Chamber of certain friends and colleagues of Palau, from our part of the Pacific region. We have with us Ambassador Lohia of Papua New Guinea, Ambassador Bugotu of the Solomon Islands, Ambassador O'Brien of New Zealand, and a representative of Fiji, Mr. Savua. On behalf of the people of Palau, I wish to thank them for the interest they have shown with regard to developments in the Trust Territory of Palau. We appreciate their continued support, and look forward to continued close cooperation with our neighbours in the future.

I hope that you, Sir, and the members of the Council are not overly disheartened by the reduction in the size of the Palauan delegation to only two, or rather one, now that Chairman Minoru Ueki is not here. As you are aware, President Etpison had to leave after your opening day last Friday as he had an important meeting to attend to Sunday night. Administration Minister Sandra Pierantozzi, House Foreign Affairs Committee Chairman Hideo Tell and Floor Leader Peter Sugiyama left town to join Treasury Bureau Director Andy Uherbelau and other officals from Palau to present testimony before a United States congressional committee on the Republic's 1992 fiscal year budget request. Our attorneys, Attorney-General Mark Horlings, House and Senate Legislative Counsels Ross Meltzer and Richard Grant, whom some of you have

(Mr. Uherbelau, Special Adviser)

met, have also departed after several consultations with Mr. Wayne Cross, the New York lawyer who served as the Republic's defence attorney in the IPSECO case.

The delegation seemed large but it had to be that size as we had a number of important items of business to attend to, including the meeting with Marylin Meyers, Deputy Assistant Secretary of the State Department of the United States, and appearance before the Subcommittee on Insular and International Affairs in Washington D.C. last week.

Our closing statement will focus on only two issues: the need for economic self-reliance and the resolution of our future political status. Before proceeding further, however, it is incumbent on me to commend this Council for the vital role it played in the partial termination of the Trusteeship Agreement. What more wonderful Christmas gift could there have been for the Federated States of Micronesia and the Republic of the Marshall Islands than to see the birth of their nations, semi-sovereign to some observers, but nation States none the less?

The Palauan delegation salutes the decisive vote on this matter by the Security Council on 22 December 1990. Likewise, we congratulate the Federated States, the Marshalls and, indeed, the Commonwealth of the Northern Marianas for having successfully reached their respective goals in terms of their future political status. Henceforth they will enjoy the golden fruits of their peoples' right of self-determination.

The representative of the United Kingdom reminded us in his statement yesterday of the need for Palau to have a sound economic base. We could not agree with him more. We too believe that economic self-reliance is in fact a prerequisite for political stability and maturity: you cannot have the one

(Mr. Uherbelau, Special Adviser)

without the other. We also agree with his remark that capital projects are never cost-free. A strong and sound economy must have a functioning infrastructure to sustain it and allow it to continue. The Administering Authority is assisting us in this regard by putting together an efficient operation and maintenance programme for the road, sewer and water systems.

The private sector of Palau's economy, as we reported in our opening statement, is on the rise. This means a move away from the national government and its constituent state governments as the primary sources of employment opportunities. The growth of the private sector will, however, inevitably result in certain labour-intensive projects or enterprises requiring highly skilled workers not readily available locally. Demand for labourers is increasing faster than we can train our own people for the labour market. We are keenly aware of this shortcoming. The Micronesian Occupational College, a campus of the Unified College of Micronesia system located on Koror, is expanding its vocational curricula to train the indigenous workforce. The United Nations International Labour Organisation is working with our Ministry of Commerce and Trade to identify training needs and requirements in both the public and the private sectors, and to launch comprehensive programmes to meet them.

Much has been said, both before this Council this week and in the committee rooms of the United States Congress, about an emerging development master plan. We welcome this initiative by the Administering Authority, and, specifically, by Secretary Stella Guerra and her Office of Territorial and International Affairs staff. Our officials are actively participating in formulating this plan so as to ensure that its end product will be our development master plan and not somebody else's for us merely to implement.

(Mr. Uherbelau, Special Adviser)

We reported last Friday that Palau is unique in its opportunity. Perhaps it is a blessing in disguise that this small, emerging Republic is still under- or undeveloped even today. We say this because we have a chance to see for ourselves and learn from the unfortunate mistakes of certain of our sister island neighbours, whose economies blossomed overnight without proper development planning. During the conference for foreign investment and tourism in Palau to which Secretary Guerra alluded, a number of guest speakers, including the Lieutenant Governor of the Commonwealth of the Northern Marianas, reminded us of, and cautioned us against, the insurmountable problems emanating from unplanned, unregulated or uncontrolled growth.

While we may be at the threshold of unprecedented economic growth, we are still at the juncture where we can and must take preventive measures rather than let unplanned development slip past us, and then have to take remedial action to rectify the situation.

(Mr. Uherbelau, Special Adviser)

Palau is ever mindful of the unique beauty of its island surroundings and, in particular, its fragile marine ecology and the scarcity of its land and fisheries resources. Therefore, we are heeding the call of the United Nations Conference on Environment and Development for ecologically and environmentally sound and sustainable development. As a full member of the South Pacific Commission, the Republic is being assisted by the South Pacific Regional Environment Programme in putting together a national report on environment and development. An environmental scientist is being recruited to undertake this work; the scientist's fee and related expenses will be paid by the United Nations Development Programme (UNDP). He or she will work cooperatively with those officials from Palau and the Department of the Interior involved in the development master plan to ensure that no conflicts arise between development objectives and environmental requirements and considerations.

By way of a final word on economic development, the primary beneficiary of development in any country should and must be the indigenous inhabitants of that country. Development under the guise of economic growth should not and must not be primarily for the foreign investor, developer or financer; it should not even be for the good of a few local entrepreneurs in partnership with foreign financers or investors. We believe that planned, regulated and orderly growth will take into account and safeguard the well-being of the local residents - and not be at their expense.

Moving on to the issue of political status, I ask the Council to bear with me for quoting at length from a number of sources. The purpose for this is to attempt to put status related matters in Palau into proper perspective.

Speaking before a joint session of the Third Olbiil Era Kelulau two Thursdays ago, President Ngiratkel Etpison had this to say:

(Mr. Uherbelau, Special Adviser)

"I am personally in favour of free association relationship with the United States because I firmly believe that such a relationship is best for the economic prosperity of Palau. The United States is a powerful nation; its economy is second to none in the world. This generous country can definitely assist Palau in achieving self-sufficiency in the years ahead. Once we have attained that point, then we can proceed to work towards full independence, a status we all want to achieve at some appropriate time in the future."

In making the foregoing remark as an elected chief executive of the Republic, President Etpison echoed the sentiment of the overwhelming majority of the Palauan voting population. While in all the seven plebiscites on the Compact the 75-per-cent-majority vote as mandated by our Constitution was never garnered, the fact remains that the voting result in each and every such plebiscite never fell below a margin of 60 per cent. Such a resounding voice of the people, freely expressed in elections duly observed by missions of this Council, cannot and should not be ignored. Others may disagree vehemently with this conclusion and indeed claim that the Compact of Free Association has been disapproved or rejected seven times in a row. Indeed, that is their prerogative.

The 75-per-cent-vote requirement for approval of the Compact was a controversial issue before this Council, especially among the petitioners, at its fifty-fourth annual session in May 1987. In fact, the same question was raised last week during the hearing before Chairman de Lugo's Subcommittee on Insular and International Affairs. Moreover, the question has been addressed recently in the context of whether the Palau Constitution needs to be amended to require a simple-majority vote and thus change the supreme law of the land

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to conform with a bilateral treaty or to modify the Compact so as to be consistent with the Constitution.

The people of Palau need not, I submit, be asked to alter their Constitution in order to approve the Compact of Free Accosiation by a mere simple-majority vote. This can be done by following the agreement mutually reached in 1984 between United States Ambassador Fred Zeder and the late President and then Palau Status Ambassador Lazarus Salii which would have done away with the 75-per-cent approval requirement.

In a report to the late President Haruo I. Remeliik, Ambassador Salii wrote:

> "On 23 May 1984 Ambassador Zeder and I signed for our respective governments the attached Compact of Free Association between the Republic of Palau and the United States.
>
> "This new Compact is a significant improvement over the compact referred to the voters of Palau on 10 February 1983. This new Compact deletes all references to nuclear and other harmful substances from the defence and security powers given to the United States, including Section 314 (nuclear provision) of the original Compact which was disapproved by the voters in the last referendum."

The key to ratifying the Compact of Free Association in accordance with the Palau constitutional process - and by a simple majority at that - is to eliminate or excise the nuclear provision from the Compact and treat it as a separate defence-treaty matter. Article II of the Palau Constitution requires a simple-majority vote by the people to ratify an agreement which delegates major governmental powers to another country. A 75-per-cent-majority vote comes into the picture if, and only if, such agreement, compact or treaty

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allows entry to Palau of things nuclear. As has been ruled by the Palau Supreme Court, such nuclear-control provision of the Constitution governs and includes nuclear-powered vessels or aircraft. Section 324 of the current version of the Compact provides for this limited entry.

We informed the Council last week of a meeting between the joint political leadership of Palau and Secretary Marylin Meyers, Secretary Guerra and their key staff to exchange views on the feasibility of a dialogue on Compact modifications. While cognizant of Secretary Meyers' request for a list of intended changes, our side counter-proposed the creation of a working group to review and recommend what actions to take on those suggested changes. We believe that this is a sensible approach and that it should lead to eventual resolution of the current impasse on the political status question.

(Mr. Uherbelau, Special Adviser)

The Palau side was gladdened to hear Ms. Meyers advise us that:

"In looking at other alternatives, we believe only independence is a suitable alternative to free association. We intend during our presentation to tell the United Nations Trusteeship Council that we are willing to explore this possibility with you."

Mr. Wilkinson did just that in his opening statement to the Council last week.

Secretary Meyers went on to comment that:

"One possibility perhaps worthy of exploration is that Palau and the United States agree to tell the Trusteeship Council that our goal is to terminate trusteeship status by a fixed target date.

"Palau and the United States might then agree that if the Compact has not been adopted by a fixed time prior to the target date (say one year), Palau and the United States would commence negotiations on winding up the trusteeship, with the objective that Palau would become independent on mutually agreeable terms."

The Palauan delegation felt that this approach was reasonable, with one reservation. If "mutually agreeable terms" means conditional independence, we would rather agree with Chairman de Lugo that the independence option for Palau should be unconditional.

The Republic of Palau values its friendly and enduring relationship with the United States, its Administering Authority, which dates back to the liberation of our tiny island home towards the end of the Second World War. But our 44-year-old trust relationship must some day come to an end and be replaced with another arrangement. We still prefer a relationship that has as its foundation the precepts of free association. We seek to make some changes in the Compact so as to eliminate certain major obstacles or objections

(Mr. Uherbelau, Special Adviser)

standing in the way of its successful ratification, and thus render it more acceptable to our people. We ask no more and no less.

Allow me to close by acknowledging the query raised by the representative of China concerning the United Nations visiting mission. By doing so, I should also like to extend my Government's warm invitation to Ms. Liu and to Mr. Berezovsky of the Soviet delegation to be part of that mission to Palau at the latter part of this year or early in 1992.

The PRESIDENT: Like Mr. Uherbelau, I am sorry that many of his colleagues have departed, but I can assure him that where the size of delegations is concerned, small is very beautiful.

I now call on Assistant Secretary Guerra.

Ms. GUERRA (Special Adviser): Before I begin, I would like to express appreciation on behalf of the Administering Authority for the very positive remarks made by the members during the general debate. Let me assure the Council that we will take them very much to heart.

We have arrived at the conclusion of another review of the administration of the Trust Territory of the Pacific Islands. While the questions have been few in number, they have shown perception, and have elicited valuable information for Council members. I would like to supplement information already on the record with a few closing remarks.

Expanding on our delegation's response to petitioners and on my opening statement, I call the Council's attention to the fact that Secretary's Order No. 3142 was received favourably by many in Palau. Even previous critics of the efforts in the Olbiil Era Kelulau (OEK), the Palau National Congress,

(Ms. Guerra, Special Adviser)

responded with praise. I am making available to the secretariat a letter from the OEK leadership, Senate President Joshua Koshiba, and House of Delegates Speaker Shiro Kyota, praising Interior Secretary Manuel Lujan for his action regarding the Order. In addition, I am giving the secretariat a copy of the resolution of the Koror State legislature praising budgetary action that arose from the implementation of the Order. I believe these documents will go a long way to reassure the Council and many of the concerned petitioners that the Order was issued in the best interest of Palau and of good administration under the Trusteeship Agreement.

I echo the sentiments of our chief of delegation that a Trusteeship Council visiting mission would be welcome in Palau. I would further add that we would extend that invitation to all members of the Council. It is through such first-hand experience that a true understanding of the economic and social achievements in the Islands can be fully appreciated. A visiting mission would be given full access to all parts of the Territory. Such a mission would find, without doubt, that there is no American or other military presence in the Islands, except for a 13-person detachment of Navy construction workers, known as the Seabees, who have been welcomed into the community, as they work on construction projects suggested by, and under the direction of, the Palauan Advisory Council.

As Council members and Palauan representatives have indicated, we are approaching the closure of the last of the Trust Territories created in 1947. This is a testament to the success of the Council in achieving the objectives set forth in the Charter of the United Nations. It is only fitting that all members of the Trusteeship Council should experience Palau first hand and sample the hospitality of these beautiful islands and their people.

(Ms. Guerra, Special Adviser)

In response to the very kind remarks made by the representative of the United Kingdom, I would like to assure him that in cooperation with Palauan authorities, the Administering Authority will continue to promote economic development. Such development, however, will occur in tandem with efforts to protect the culture and the extraordinary environment of the Palauan archipelago. Secretary's Order No. 3142 specifically includes a section placing a moratorium on commercial development in the Rock Islands until a Palau national master development plan is in place. I should add that the aid in drafting a Palau national master development plan was specifically included in the Secretary's Order at the request of the Palauan leadership.

(Ms. Guerra, Special Adviser)

While both the Department of the Interior and Palau are concerned with establishing a fair procedure that is beyond reproach, the Palauans themselves will be the ones who wrestle with, and decide on, the substantive issues, including the sectors for development, the amount of development, protection for culture, protection for the environment, placement of physical infrastructure and financing through impact fees and proportionally higher charges on developers. By helping Palau to bring these issues to a national debate in Palau, the United States, as Administering Authority, is providing Palau with the best possible tools for promoting private-sector economic development and at the same time protecting Palau's culture, environment and quality of life.

I am aware that the Trust Territory of the Pacific Islands delegation formerly filled at least two rows in the Council Chamber. Now we are down to just a few seats. Some day in the near future - and I say this with only the best of intentions - these seats will be empty, and the goals of the Trusteeship System will have been attained. I am confident that with the strengthened communications and the relationship that we have today between the Administering Authority and Palau we shall continue to build on the progress that has been made this year. For our part, we are working actively in that direction. Perhaps in the very near future the new Trust Territory Office in Koror will be replaced by an American Embassy, as has occurred in the Freely Associated States, which until recently were also part of the Trust Territory of the Pacific Islands.

Mr. President, and members of the Council, let me say in conclusion that it has been a pleasure to be with you once again this year. I look forward to working with the Council over the next year. I thank members for all the courtesies that have been extended to me and the members of my delegation.

The PRESIDENT: I thank Assistant Secretary Guerra for her additional clarifications and her warm concluding remarks.

Mr. WILKINSON (United States of America): I also, Mr. President, second the thanks expressed by those present for your fine leadership in guiding us through this annual session of the Trusteeship Council. You have kept us on the subject, assured the smooth and open handling of our agenda and given us the opportunity to meet the responsibilities that each of us has in the Council. I also want to thank the Vice-President for presiding at one important meeting, and for his important contributions in helping us proceed with our deliberations.

We are also grateful to the Secretariat for the preparation of documents for this session and for arrangements which made the session possible and productive. I would be remiss if in addition I did not extend our thanks to the interpreters, who no doubt rendered my statements in more comprehensible and articulate form than the original.

When the United States accepted its designation as Administering Authority for the Pacific Islands Territory we did not realize that this would be a task which would consume the better part of half a century. Nor, I am certain, did the Council realize what the extent of this assignment would be. We have endeavoured to meet our responsibilities fully, providing both guidance and support for the Trust Territory, now consisting solely of Palau.

As we have outlined in our annual report and in the statements which I and members of my delegation have made to the Council, we continue to provide resources and expertise to Palau. Our objective, and the objective of Palau, is to bring the trusteeship to an end at an early date. We believe that the trusteeship has served its basic purpose of providing Palau with

(Mr. Wilkinson, United States)

infrastructure, education and economic development so that it can not only survive, but prosper, under whatever political system the people of Palau may choose.

It is not our intention to force Palau to make a decision concerning its political status. Rather, it is our goal to create conditions under which Palau can make its own choice as expeditiously as possible, safe in the knowledge that it has the means to make the transition from trusteeship to its chosen status.

I think the Council is already aware of what our general plan of action will be during the course of the next year on the issue of status. We continue to believe that the Compact now on the table offers the best solution to the status question. The Compact would assure a continuing flow of financial support for Palau while enabling Palau to become a member of the international community, as have two other former elements of the Trust Territory.

As indicated earlier, we have agreed to receive from Palau a list of suggestions which it believes would be helpful in gaining the support needed to win approval of the Compact. We will examine any proposed modifications carefully and decide, in the closest consultation with the Government of Palau, how best to proceed. I cannot give a time frame or deadline for this activity, but I can assure you, Mr. President, that we are ready to act with all deliberate speed.

If, despite these efforts, free association continues to elude us, we believe, as also indicated earlier, Palau should give serious consideration to the possibility of independence. We do not see independence as coming precipitously, but, rather, after a period of preparation and under conditions

(Mr. Wilkinson, United States)

to be agreed between us, the Administering Authority and the Government of Palau. The Council has seen many Territories formerly under trusteeship enter the family of nations as independent States. We believe that Palau could successfully pursue this option if it so chose. In any event, trusteeship is a transitory status, and we hope that it will be possible for Palau to move on to the next stage in its development at an early date.

Until that welcome time arrives I wish to assure the Council again that the United States will meet its trusteeship obligations fully. We take our responsibilities seriously and will carry them out to the best of our ability. Assistant Secretary Guerra has already provided the Council with further details on our administration of Palau, and she gave the Council today a further perspective of her Department. Mr. Uherbelau has similarly given a crucially important perspective and observations on these issues on behalf of the Government of Palau.

Overall, we find that this annual session has provided us with a good opportunity to review our activities in Palau. The preparations for the meetings, the statements by the petitioners and the questions by other Council members stimulate us to endeavour to perform our tasks even better.

During the course of this meeting, members have mentioned the possibility of a United Nations mission's visiting Palau and preparing a report on its findings for the Council. We are beginning to approach three years since the last such Mission, so scheduling another trip would be in accordance with past practice.

(Mr. Wilkinson, United States)

I wish to confirm that the United States would welcome such a visit at a time mutually convenient for members of the Council and for Palau, perhaps by early in 1992, which would allow a report to be prepared for the Council's consideration at its annual session approximately one year from now. Participants will need time to prepare for such a visit, as will officials of Palau, and we will be in touch with all concerned to facilitate early decisions.

The PRESIDENT: I thank the representative of the United States. I would only add, with all due diffidence, that it is fairly easy to keep members of the Council to one subject when there is only one subject to discuss.

That concludes, as I understand it, the closing remarks by representatives of the Administering Authority. I want to thank very warmly all those who have come from Washington D.C. and from the Trust Territory itself to inform us of recent developments and to give us the benefit of their experience. I would extend a particular word of thanks to Assistant Secretary Guerra from Washington, to Mr. Uherbelau from Palau and perhaps a special word to Mr. MacPhetre, who I gather has been a consistent and faithful follower of this rather strange animal. Thank you all very much. I believe I speak on behalf of all members of the Council in wishing you all a safe journey home.

ORGANIZATION OF WORK

The PRESIDENT: I am given to understand that the report of the Secretary-General on credentials will be available tomorrow. The Council will therefore consider that item at its next meeting.

As regards the report of the Drafting Committee concerning its conclusions and recommendations, I also understand that the report will be ready by noon tomorrow, Friday, 10 May. In order to facilitate our work I should like to suggest that the report of the Drafting Committee be made available to all members of the Council tomorrow afternoon, before the weekend. The official version of the report will be out on Monday, 13 May.

At this point in time I am not going to suggest a precise timetable for our concluding meetings. I think we shall probably want to have brief informal consultations on Monday morning, followed by a formal meeting at

(The President)

which the representative of the Drafting Committee will introduce the report, and it may then be necessary to adopt it formally on Tuesday, 14 May. What I propose to do, if I may, is to ask the Secretariat to be in touch with all members of the Council tomorrow about the precise timetable for our concluding meetings.

I hope that that procedure is agreeable to members of the Council. If there are no comments, I shall take it that members agree to the procedures I have outlined.

It was so decided.

The PRESIDENT: The next meeting of the Trusteeship Council, therefore, will be held, subject to confirmation tomorrow by the Secretariat, on Monday, 13 May, probably following informal consultations and at a time to be specified by the Secretariat to all members.

The meeting rose at 5.05 p.m.